

Our Ref: IM-FOI-2022-2412  
Date: 08 December 2022



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

*I would like to know the following information under FOI.*

**1. How many officers are awaiting ill health retirement assessment due to work related injury/mental health?**

I can advise that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, I cannot provide how many cases are awaiting Ill Health Retirement assessment due to work related injuries as individuals are referred for consideration of Ill Health Retirement due to medical conditions. Injury on duty claims are considered as a separate process and not during the Ill Health Retirement process.

**2. How many officers are on the list for ill health retirement?**

There are 106 Police Officers awaiting Ill Health Retirement.

**3. How many officers are on full pay while waiting ill health retirement assessment?**

There are 106 Police Officers on full pay.

**4. Current timescale of I'll health retirement.**

It is currently approximately 16 months from referral to SPA decision.

**5. A breakdown of each rank who are on full pay while waiting for I'll health. I.e. constable 7, Sergeant 5 etc.**

With regards to providing breakdown of each rank, in terms of the Freedom of Information (Scotland) Act 2002 (the Act), Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies.

## **Section 38(1) (b) – Personal Information**

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information and that disclosure may well be necessary for that purpose, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject.

To explain, with regards to providing the breakdown, for officers above the rank of inspector awaiting Ill Health Retirement could allow individuals to be identified and would therefore be a release of personal information. Disclosure of such information, either directly or inadvertently is exempt under the Freedom of Information (Scotland) Act 2002.

This is an absolute exemption which does not require a public interest test.

To be of assistance however I can advise the following figures.

Police Constable/Detective Constable – 85  
Police Sergeant/Detective Sergeant – 11  
Police Inspector/Detective Inspector and above – 10

Should you require any further assistance please contact Information Management – Glasgow at [foi@scotland.police.uk](mailto:foi@scotland.police.uk) quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.pnn.police.uk](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.